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09/980,503	03/06/2002	Jean-Philippe Borel	SCP061774	5539

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Thomson Multimedia Licensing Inc
CN 5312
Princeton, NJ 08543-0028

EXAMINER

ABRISHAMKAR,,KAVEH

ART UNIT	PAPER NUMBER
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2131

DATE MAILED: 01/31/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/980,503

Applicant(s)

BOREL, JEAN-PHILIPPE

Examiner

Kaveh Abrishamkar

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 March 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 03/13/2003.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This action is in response to the communication filed on March 6, 2002. Claims 1-7 were originally received for consideration. The preliminary amendments for the claims have been reviewed and incorporated in this Office action. Claims 1 – 7 are currently being considered.

Claim Objections

2. Claim 3 is objected to because of the following informalities: The claim is not concluded with a period. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-4 are rejected under 35 U.S.C. 102(e) as being anticipated by Gurantz (U.S. Patent No. 5,936,660).

Regarding claim 1, Gurantz discloses:

A pay-per-use communication device, in particular for television pictures. Gurantz discloses

“a first input interface for receiving first scrambled signals, bearing first information subject to pay-per-uses” (Figure 3 item 102, column 4 lines 3 - 17), where the scrambled signal is received from a cable drop or other video source and is received at one of multiple tuners,

“First processing means able to undertake the conversion of the first scrambled signals into first descrambled signals, capable of direct use” (Figure 3, column 4 lines 4 - 48), where a scrambled signal is received at a converter box at a household premises and transformed into an unscrambled signal which is sent to a plurality of television sets,

“An access control module able to cooperate with a memory card comprising a user identifier associated with access entitlements, and conditioning the operation of the first processing means” (Figure 3 item 110 and item 116, column 3 lines 16-27,) where a conditional access unit (access control module) is used in conjunction with a smart card (memory card) to store user access entitlements, and

“A first output interface for delivering the first descrambled signals with a view to direct use” (Figure 3, column 4 lines 26-47), where the descrambled signal is sent to a television for viewing,

further comprising:

"At least one second input interface for receiving second scrambled signals, bearing second information subject to pay-per-use and to which the said memory card is able furthermore to provide access entitlements" (Figure 3, items 102, 116), where the scrambled signal is sent to a plurality of tuners (input interface for receiving scrambled signals), where the smart card (memory card) is used in conjunction with the conditional access unit to provide access entitlements,

"At least second processing means able to undertake the conversion of the second scrambled signals into second descrambled signals, capable of direct use" (Figure 3, column 4 lines 4 - 48), where a plurality of scrambled signals are received at a plurality of converter boxes at a household premises and transformed into unscrambled signals which are sent to a plurality of television sets,

"At least one second output interface for delivering the second descrambled signals" (Figure 3, column 4 lines 27-47), where the second descrambled signals are sent to one of a plurality of television sets for direct viewing, and

"in that the access control module is able to cooperate with the memory card so as to condition the operation of the second processing means with a view to further allowing the conversion of the second scrambled signals" (Figure 3 item 110 and item 116, column 3 lines 16-27), where a conditional access unit (access control module) is used in conjunction with a smart card (memory card) to store user access entitlements, (column 2 lines 10-19) and the conditional access unit is used with the smart card (memory card) to establish user entitlements.

Claim 2 is rejected as applied above in rejecting claim 1. Furthermore, Gurantz discloses:

The Device according to claim 1, wherein "the first processing and second processing means respectively comprise first and second management means for driving the respective conversions of the first and second scrambled signals" (Figure 3, column 4 lines 4 - 48), and

in that "the first management means are arranged so as to talk to the access control module so as to activate the conversion of the first scrambled signals, whilst the second management means are arranged so as to talk to the access control module by way of the said first management means with view to activating the conversion of the second scrambled signals" (Figure 3 item 110 and item 116, column 3 lines 16-27), where a conditional access unit (access control module) is used in conjunction with a smart card (memory card) to store user access entitlements, and the conditional access unit is used with the smart card (memory card) to establish entitlements for activating the descrambling the plurality of scrambled signals.

Claim 3 is rejected as applied above in rejecting claim 2. Furthermore, Gurantz discloses:

Device according to claim 2, wherein "the first management means are devised, on the one hand, to receive from the access control module, at predetermined time intervals, first and second control messages, for the respective conversions of the first

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and second scrambled signals, and, on the other hand, to transmit the said second control messages to the second management means" (column 2 lines 34-47), where an access control circuit is used to manage the plurality of signals designated for the different televisions and descramble the signals accordingly.

Claim 4 is rejected as applied above in rejecting claim 3. Furthermore, Gurantz discloses:

Device according to claim 3, wherein "the first and second management means respectively comprise a first and a second processor, which are devised so as to respectively drive first and second descrambling modules for descrambling the first and second scrambled signals" (Figure 3, column 4 lines 4 - 48), where a plurality of scrambled signals are received at a plurality of converter boxes at a household premises and transformed into unscrambled signals which are sent to a plurality of television sets.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 5-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gurantz (U.S. Patent No. 5,936,660) in view of Ushiyama (U.S. Patent No. 6,349,140).

Claim 5 is rejected as applied above in rejecting claim 4. Furthermore, Gurantz discloses:

Device according to claim 4. Gurantz does not explicitly disclose "the first processor is able to drive the second processor according to a protocol of the master/slave type." Ushiyama does disclose "a first processor driving a second processor according to a master/slave type protocol" (Figure 4, column 2 lines 26 - 50), where Ushiyama discloses a parent subscriber unit terminal (master) comprising a control unit which controls the switching of the descrambled information descrambled by the descrambling units of the parent (master) or the child (slave) units. Gurantz and Ushiyama are analogous arts as both pertain to receiving a scrambled television signal and descrambling the signal before distributing it to a plurality of television sets. The master/slave protocol used in Ushiyama would be beneficial in an environment of Gurantz because, as Ushiyama states, the master/slave relationship provides a system "allowing the user to see pay channel programs with a plurality of TV receivers or the like in the house of the subscriber at a moderate cost" (column 2 lines 6-10) and further provides "an information receiving system for allowing the number of subscriber terminal units controlled by a center to be decreased, thereby reducing the load of the processing performed by the center" (column 2 lines 1 - 5). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use

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the master/slave relationship of Ushiyama in the descrambling environment of Gurantz to achieve the cost benefits and the reduced load of the processing performed by the distribution center provided by this relationship.

Claim 6 is rejected as applied above in rejecting claim 4. Furthermore, Gurantz discloses:

Device according to claim 4, wherein "the first and second input interfaces are linked to means for receiving radio frequency waves" (column 2 lines 35-43), where the input interfaces can receive signals from a cable drop or a satellite (RF waves), and in that

"The first and second processing means respectively comprise demodulation/demultiplexing stages for the first and second scrambled signals, able to cooperate respectively with the first and second descrambling modules so as respectively to descramble first and second scrambled and demultiplexed signals" (Figure 3 items 104, 106, 108, column 4 lines 19-48), where the signal is received by the tuner, then demodulated, decompressed, modulated and sent to a plurality of television sets.

Claim 7 is rejected as applied above in rejecting claim 6. Furthermore, Gurantz discloses:

Device according to claim 6, wherein "the first and second scrambled signals bear moving picture data" (column 4 lines 56 - 67),

"Compressed according to a certain format" (column 4 lines 33-37), and in that

"The first and second processing means furthermore comprise video decoding/encoding modules, able to cooperate with the demodulation/demultiplexing stages, so as to deliver picture data intended for direct use" (Figure 3, column 4 lines 19-48), where a compressed, scrambled video is received and is then descrambled, demodulated, decompressed, and presented for viewing on a television screen.

Conclusion

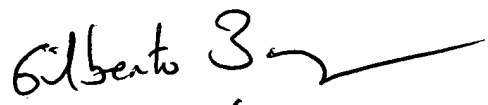
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kaveh Abrishamkar whose telephone number is 571-272-3786. The examiner can normally be reached on Monday thru Friday 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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